

EXHIBIT 18

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FLATWORLD INTERACTIVES LLC, a)	No. C 12-01956 JSW
Pennsylvania limited liability company,)	
)	
Plaintiff,)	
)	
v.)	FLATWORLD'S RESPONSES TO
)	APPLE'S THIRD SET OF
APPLE INC, a California corporation,)	INTERROGATORIES
)	
Defendant.)	
)	
)	
)	

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Local Rule 33, Plaintiff FlatWorld Interactives LLC (“FlatWorld”) serves its answers and objections to Defendant Apple Inc.’s (“Apple”) Third Set of Interrogatories. Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, FlatWorld reserves the right to supplement its answers.

GENERAL OBJECTIONS

The following General Objections are incorporated by reference and made a part of the objection and response to each specific interrogatory:

1. By responding to these interrogatories, FlatWorld does not waive objections to the admission into evidence of these answers on the grounds of relevance, materiality, or any other proper grounds for objection.

2. FlatWorld objects to these interrogatories to the extent that they exceed the scope permissible under the Federal Rules of Civil Procedure.

3. FlatWorld objects to these interrogatories to the extent they seek information protected by the attorney-client privilege and/or work-product doctrine and on that basis will not provide any such privileged information.

4. FlatWorld objects to these interrogatories to the extent that they purport to call for information that is publicly available, or in Apple’s possession, custody, and/or control, on the grounds that such information is either more or equally available to Apple and the provision of such information by FlatWorld would be unnecessarily burdensome.

5. FlatWorld objects to these interrogatories, and the definitions and instructions contained therein, to the extent they are vague, ambiguous, overbroad, burdensome, oppressive and/or harassing.

6. FlatWorld objects to these interrogatories to the extent they are overbroad and/or unduly burdensome in time and/or scope.

7. Discovery has just begun in this case, and any answer to these interrogatories is based upon information presently known to FlatWorld and is without prejudice to its right to supplement its answer and introduce as evidence any subsequently discovered information.

1 8. FlatWorld objects to the extent the burden or expense imposed by any interrogatory
2 outweighs its likely benefit.

3 9. FlatWorld objects to each interrogatory, and to the “Definitions” and “Instructions”
4 used by Apple, to the extent that any interrogatory, definition or instruction:

5 a. purports to impose any requirement or discovery obligation on FlatWorld
6 other than those set forth in the federal or local rules governing this case;

7 b. purports to impose any requirement or discovery obligation on FlatWorld
8 beyond that set forth in the Scheduling Order or other orders entered or which may be entered in
9 this case;

10 c. is unduly burdensome, oppressive, overly broad, ambiguous, confusing, or
11 vague;

12 d. is not relevant to any claim or defense of any party, is not likely to lead to
13 the discovery of admissible evidence, and/or is otherwise outside the bounds of discoverable
14 information;

15 e. is duplicative or unreasonably cumulative of other discovery;

16 f. seeks information not within the possession, custody or control of
17 FlatWorld;

18 g. calls for FlatWorld to draw a legal conclusion in order to respond;

19 h. requires the creation of information that FlatWorld is not required to create;
20 or

21 i. requires information not kept or maintained by FlatWorld.

22 10. FlatWorld objects to each interrogatory to the extent it prematurely seeks the
23 disclosure of expert opinions and other discovery from or concerning experts. FlatWorld will
24 disclose expert opinions pursuant to the Proposed Scheduling Order or other orders entered or
25 which may be entered in this case, and in keeping with the scope restrictions set forth in the
26 Federal Rules of Civil Procedure.

27 11. FlatWorld objects to each interrogatory to the extent that it calls for information
28 provided by FlatWorld pursuant to Patent Local Rule 3-1.

SPECIFIC OBJECTIONS AND ANSWERS TO INTERROGATORIES

INTERROGATORY NO. 14:

Identify on a year-by-year basis from 1997 to the present, the amount of and the source of funding for, (1) total expenditures related to prosecution of the Patent-in-Suit, any Related Patents, and the prosecution of any other patents owned by FlatWorld or Slavoljub Milekic, and (2) total expenditures related to the development by FlatWorld or Slavoljub Milekic of any software that implements, utilizes, or relates to the Patent-in-Suit, any Related Patents, and any other patents owned by FlatWorld or Slavoljub Milekic. For the purpose of this interrogatory, “expenditures” include any form of compensation, including without limitation cash payments and contingency agreements.

ANSWER:

In addition to the General Objections set forth above, FlatWorld specifically objects to this interrogatory to the extent it seeks information and documents protected by the attorney-client privilege or work product doctrine. FlatWorld further objects to this interrogatory as overbroad, burdensome, and harassing because it seeks information that is not relevant to any claim or defense of any party, is not likely to lead to the discovery of admissible evidence, and/or is otherwise outside the bounds of discoverable information. How Dr. Milekic and FlatWorld paid for patent prosecution and development of software that “implements, utilizes, or relates to” patents owned by Dr. Milekic or FlatWorld, and the source of these funds, has no relevance to any claim or defense in this case, nor is this information likely to lead to the discovery of admissible evidence or otherwise discoverable information. This interrogatory is further objectionable because it specifically seeks information regarding patents which are not at issue in this litigation.

Subject to and without waiving any of the foregoing objections, pursuant to Federal Rule of Civil Procedure 33(d), for years prior to 2006, FlatWorld identifies business record documents having Bates Nos. FWAPP00001521-35, 1588-90 and 7020-7037 from which information that is responsive to this interrogatory can be derived. For years 2006-2012, FlatWorld identifies business record documents having Bates Nos. FWAPP00005612-16, 6987-96, and 7007-08 from which

1 information that is responsive to this interrogatory can be derived. In addition, Jennifer McAleese
2 made a \$4000 contribution to FlatWorld for the purpose of paying programmer Jacque Landman
3 Gay for her work on ShowMe Tools. This contribution occurred sometime in 2008.

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5 **INTERROGATORY NO. 15:**

6 Identify with particularity each and every communication, event, or circumstance by which
7 FlatWorld was informed or became aware that Apple was a client of any law firm of which John
8 McAleese III was a partner, and for each and every such communication, event, or circumstance
9 describe in detail how FlatWorld gained that knowledge and what precautions, actions, or steps
10 FlatWorld undertook, if any, upon gaining that knowledge.

11 **ANSWER:**

12 In addition to the General Objections set forth above, FlatWorld specifically objects to this
13 interrogatory as overbroad, burdensome, and harassing because it seeks information that is not
14 relevant to any claim or defense of any party, is not likely to lead to the discovery of admissible
15 evidence, and/or is otherwise outside the bounds of discoverable information.

16 Subject to and without waiving any of the foregoing objections, FlatWorld states that
17 FlatWorld first became aware that Apple was a client of Morgan Lewis & Bockius LLP (“MLB”) in or about March, 2012, shortly before the Complaint in this case was filed. John McAleese
18 verbally informed Jennifer McAleese of this fact and also that he would inform MLB of
19 FlatWorld’s intention to file suit against Apple. See MLB_A0000028 and MLB_A0000036-37.
20 FlatWorld took no action based on this information nor did this information affect the filing of the
21 Complaint. At no time have Jennifer McAleese or FlatWorld requested or received any
22 confidential information or documents pertaining to Apple from John McAleese or MLB.
23

24 DATED: May 3, 2013

HAGENS BERMAN SOBOL SHAPIRO LLP

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CERTIFICATION OF SERVICE

I, Steve W. Berman, hereby certify that a true and correct copy of FLATWORLD'S RESPONSES TO APPLE'S THIRD SET OF INTERROGATORIES were served on May 3, 2013 by e-mail to:

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